

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 Alexandra Sherman,

4 Plaintiff,

5 vs.

6 NCSPlus Incorporated.,

7 Defendant.

8 Case No. 2:23-cv-01411-RFB-MDC

9 **ORDER TO SHOW CAUSE**

10 This case is over a year old. ECF No. 1. Summons was returned executed for the defendant
11 reflecting service on November 8, 2023. ECF No. 7. Defendant filed its answer on May 20, 2024 (ECF
12 No. 11). Local Rule 26-1(a) requires the parties to hold a FRCP 26(f) initial conference within 30 days
13 after the defendant answers. The rule further requires the parties to submit a stipulated discovery plan
14 and scheduling order within fourteen (14) days after the initial conference. *See* LR 26-1(a). In
15 addition, the Court's 05/22/2024 Order (ECF No. 14) required the parties to submit the discovery plan
16 and scheduling order by July 4, 2024. *Id.*

17 The parties have neither complied with LR 26-1(a) nor the Court's 05/22/2024 Order. The
18 parties are ordered to show cause why the action should not be dismissed, or other sanctions imposed
19 per FRCP 16 and FRCP 37 for failure to comply with LR 26-1(a) and their contempt of the Court's
20 5/22/2024 Order. The parties shall file their briefs showing such cause by **November 27, 2024**. The
21 parties shall also file a proposed a stipulated discovery plan and scheduling order in compliance with LR
22 26-1(b) by **November 27, 2024**. Failure to comply with this order will result in sanctions, including,
23 without limitation, dismissal of the action.

24
25 **IT IS ORDERED** that by **November 27, 2024**, the parties shall file: (1) briefs showing cause

1 why action should not be dismissed, or other sanctions imposed per FRCP 16 and FRCP 37 for failure to
2 comply with LR 26-1(a) and their contempt of the Court's 5/22/2024; and (2) a proposed a stipulated
3 discovery plan and scheduling order in compliance with LR 26-1(b). Failure to do so will result in
4 sanctions, which may include, without limitation, a report and recommendation that this case be
5 dismissed.

6 **IT IS SO ORDERED.**

7 DATED November 13, 2024.

8
9 Hon. Maximilano D. Couvillon III
United States Magistrate Judge